

### **REMARKS**

In the Official Action, the Examiner raised an objection with respect to claim 6 and set forth three rejections of the claims under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 1162063 (the '063 publication), Nagasaka et al., U.S. Patent No. 6,410,207, and JP 11-327163 (the '163 publication).

By the present Amendment, certain revisions have been made in the specification and claim 1 has been amended to include the subject matter of claims 6 and 10. In addition, claims 5, 6, 8, 9, 10 and 11 have been canceled without prejudice or disclaimer. It will be noted that in amended claim 1, the subject matter from claim 6 has been included with the language suggested by the Examiner on page 2 of the Action. However, the term "independently" has not been used with respect to the formulas (II) and (III) since there is only one instance of "X" in the formulas. Accordingly, the objection to claim 6, as potentially applicable to amended claim 1, is believed overcome by the amendments to claim 1.

Turning to the prior art rejections, applicant respectfully submit that none of the cited documents anticipates or renders obvious the subject matter now defined in the claims of record. As noted above, claim 1 has been amended to include the subject matter of former claims 6 and 10 whereby the anionic surfactants and amphoteric surfactants are represented by specific formulas (I) to (VI). None of the cited prior art discloses or suggestions these formulas and therefore the claims of record are believed to be patentable over the cited documents.

Considering each of the cited documents in order, the '063 publication relates to a planographic printing plate precursor which has high sensitivity, limited reduction in sensitivity over time and high stability over time. The precursor has a light-

sensitive layer formed on a support with the light-sensitive layer including a light-sensitive, image-forming material and a material which absorbs light and generates heat. The light-sensitive, image-forming material includes a novolak resin having a xylenol monomer. Upon exposure, the plate is subjected to development using an alkaline developing solution as set forth in paragraph [0087] which includes the possible presence of surfactants, preferably surfactants of the anionic type, cationic type, nonionic type and amphoteric type. However, when one considers specific developing process solutions A and B on page 14 and C and D on page 18, none of the developing solutions include a surfactant, and certainly not a surfactant which meets those defined in the claims of record. Accordingly, the '063 publication cannot be used to reject any of the amended claims.

Nagasaka et al. relates to a positive photosensitive composition, a corresponding lithographic printing plate and a method for making a lithographic printing plate. The composition includes a photo-thermo conversion material and a high molecular compound of which the solubility in an alkali developer is changeable mainly by a change other than a chemical change. In the passage beginning at column 25, line 58, an alkali developer is described and in the last sentence of the column the patent indicates that an anionic surfactant, an amphoteric surfactant or an organic solvent, such as alcohol, may be added to the developer as required. However, in the Examples beginning in column 26, the alkali developer is identified as a commercial material (SDR-1) and Nagasaka et al. does not describe any particular surfactant. Therefore, this patent also cannot be used to reject the claims now of record which define the specific surfactants set forth in formulas (I) to (VI).

The '163 publication relates to a positive image-forming method in which a positive image is formed on a base material after exposure, the base material including an image-forming material having a positive photosensitive composition layer which contains a novolak resin and a light and heat converting material while not containing a thermal decomposition material that is decomposed by heat produced by the heat converting material. In order to develop the exposed material, an alkali liquid developer is used containing an ampholytic surface-active agent. Such ampholytic (i.e. amphoteric) surfactants are described in greater detail in paragraph [0068] as being betaine-type compounds such as N-lauryl-N, N-dimethyl-N-ammonium, N-stearyl-N,N-dimethyl-N-carboxyammonium, N-lauryl-N,N-hydroxyethyl-N-carboxyammonium, N-lauryl-N,N-dihydroxyethyl-N-carboxymethylammonium, N-lauryl-N,N,N-tris(carboxymethyl)ammonium and the like, and imidazoline-type compounds such as N-coconut oil fatty acid acyl-N-carboxymethyl-N-hydroxyethyl sodium ethylenediamine and the like. As stated in paragraph [0069], the betaine mold compounds are preferred.

Even if one were to rely on the teachings of the '163 publication and use one of the amphoteric surfactants described therein, one would still not arrive at the present invention since the defined surfactants are distinct. Therefore, the '163 publication would actually lead those of ordinary skill in the art away from the specific surfactants defined in the claims of record and it follows that this publication cannot be used as a basis for rejecting any of the claims.


Since all matters raised in the Official Action have been fully met by the instant Amendment, applicant respectfully requests reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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